



# RULE-MAKING ORDER

**CR-103 (June 2004)**  
(Implements RCW 34.05.360)

**Agency:** Department of Labor and Industries

☒ **Permanent Rule**  
☐ **Emergency Rule**

**Effective date of rule:**

**Permanent Rules**

- ☐ 31 days after filing.  
☒ Other (specify) April 1, 2006 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Effective date of rule:**

**Emergency Rules**

- ☐ Immediately upon filing.  
☐ Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

☐ Yes ☒ No If Yes, explain:

**Purpose: Amendments to Safety and Health Standards**

OSHA recently made some changes to notification requirements in their construction rules and removed outdated references in their General industry rules. We made the same changes to remain as effective as OSHA, and also made general housekeeping changes to correct typing errors. See attachment 1.

**Citation of existing rules affected by this order:**

Repealed: See attachment 2.  
Amended: See attachment 2.  
Suspended: NA

**Statutory authority for adoption:** RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

**Other authority :** None

**PERMANENT RULE ONLY (Including Expedited Rule Making)**

Adopted under notice filed as WSR 05-23-144 on 11/22/05.

Describe any changes other than editing from proposed to adopted version: none.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.  
☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

**Date adopted:** February 7, 2006

**NAME (TYPE OR PRINT)**

Gary K. Weeks

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

**WSR# 06-05-027**

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	<u>8</u>	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	<u>8</u>	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	<u>16</u>	Repealed	_____

**CR 103 RULE-MAKING ORDER (RCW 34.05.320)**

Department of Labor and Industries

WISHA Services Division

CR-103 Filing Date: January 24, 2005

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**Attachment 1**

(Purpose Statement)

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Purpose: OSHA recently made some changes to notification requirements in their construction rules and removed outdated references in their General industry rules. We made the same changes to remain as effective as OSHA, and also made general housekeeping changes to correct typing errors.

WAC 296-24-21515 Conveyors

Repealed this section; requirements were moved into chapter 296-806 WAC, Machine Safety.

WAC 296-24-33005 Tank Storage

Repealing reference to outdated ANSI per OSHA changes

WAC 296-62-07709 Exposure Assessment and Monitoring

Changed notification requirements in the construction and shipyard industries from 15 days to 5 days, to remain as effective as OSHA.

WAC 296-62-07712 Requirements for asbestos activities in construction and shipyard work.

Removed the word "signed" from the requirement for a written report, to remain consistent with OSHA.

WAC 296-62-07725 Medical surveillance.

Removed the requirement for separate submission of evaluation and certification documents, to remain consistent with OSHA.

WAC 296-78-835 Vehicles

Repealing reference to outdated ANSI per OSHA changes

WAC 296-155-100 Managements responsibility

Corrected form number in sub paragraph (7)

WAC 296-155-125 First-aid supplies

Corrected reference in sub paragraph (4)

WAC 296-155-17311 Exposure monitoring

Changed notification requirement from 15 days to 5 days, to remain as effective as OSHA

WAC 296-155-305 Signaling and flaggers

Removed wording from subparagraph (1)(a) to make sentence correct.

WAC 296-155-452 Specific purpose equipment and installations

Corrected reference in subparagraph (1)(d)

WAC 296-155-476 General requirements

Corrected typing error in subparagraph (1)(b)

WAC 296-155-545 Conveyors

Corrected reference in subparagraph (3)(c)

**CR 103 RULE-MAKING ORDER (RCW 34.05.320)**

Department of Labor and Industries

WISHA Services Division

CR-103 Filing Date: January 24, 2005

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**Attachment 1**

(Purpose Statement)

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WAC 296-155-704 Hoisting and rigging  
Corrected wording in subparagraph (3)(a)(i)

WAC 296-807-16005  
Repealing reference to outdated ANSI per OSHA changes

WAC 296-833-30010 Provide adequate water  
Repealing reference to outdated ANSI per OSHA changes

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**(2) Citation of existing rules affected by this order:**

**AMENDED SECTIONS:**

WAC 296-62-07709 Exposure Assessment and Monitoring

- Changed notification requirements in the construction and shipyard industries from 15 days to 5 days, to remain as effective as OSHA.

WAC 296-62-07712 Requirements for asbestos activities in construction and shipyard work.

- Removed the word "signed" from the requirement for a written report, to remain consistent with OSHA.

WAC 296-62-07725 Medical surveillance.

- Removed the requirement for separate submission of evaluation and certification documents, to remain consistent with OSHA.

WAC 296-155-100 Managements responsibility

- Corrected form number in sub paragraph (7)

WAC 296-155-125 First-aid supplies

- Corrected reference in sub paragraph (4)

WAC 296-155-17311 Exposure monitoring

- Changed notification requirement from 15 days to 5 days, to remain as effective as OSHA

WAC 296-155-305 Signaling and flaggers

- Removed wording from subparagraph (1)(a) to make sentence correct.

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- Corrected reference in subparagraph (1)(d)

WAC 296-155-476 General requirements

- Corrected typing error in subparagraph (1)(b)

WAC 296-155-545 Conveyors

- Corrected reference in subparagraph (3)(c)

WAC 296-155-704 Hoisting and rigging

- Corrected wording in subparagraph (3)(a)(i)

**REPEALED SECTIONS:**

**CR 103 RULE-MAKING ORDER (RCW 34.05.360)**

Department of Labor and Industries

WISHA Services Division

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**Attachment (2)**

(Citation of Rules)

WAC 296-24-21515 Conveyors

- Repealed this section; requirements were moved into chapter 296-806 WAC, Machine Safety.

WAC 296-24-33005 Tank Storage

- Repealing reference to outdated ANSI per OSHA changes

WAC 296-78-835 Vehicles

- Repealing reference to outdated ANSI per OSHA changes

WAC 296-807-16005

- Repealing reference to outdated ANSI per OSHA changes

WAC 296-833-30010 Provide adequate water

- Repealing reference to outdated ANSI per OSHA changes